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Patent
Attorney Docket No. ITW7510.063

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Matus et al.
Serial No. : 10/605,568
Filed : October 9, 2003
For : Method and Apparatus for Localized Control
Of A Plasma Cutter
Group Art No. : 3742
Examiner : Hoang, T.

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

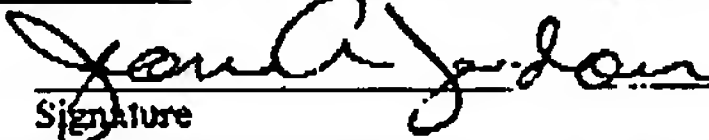
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☐ 37 CFR 1.8(a) with sufficient postage as first class mail ☐ 37 CFR 1.10 As "Express Mail Post Office to Addressee" Mailing Label No.

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☒ transmitted by facsimile to Fax No.: 703-872-9306 addressed to Examiner Hoang at the Patent and Trademark Office.

Date: 6-23-05

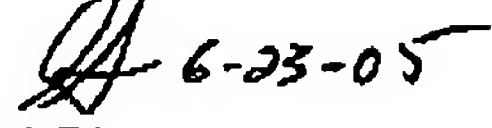
Signature 

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF JOSEPH SCHNEIDER UNDER 37 C.F.R. §1.132

I, Joseph C. Schneider, being duly sworn, depose and say:

1. I am a co-inventor in the above-referenced patent application.
2. I was also a co-inventor on USP 5,866,869 (hereinafter '869 patent).
3. I have reviewed the presently pending claims in the above-referenced application and reviewed the aforementioned '869 patent.

4. I have worked in the welding and plasma cutting industry for 14+ years.  6-23-05
5. Although the Detailed Description of the '869 patent refers to reference number 100 as the "torch", and the "body of the torch", in fact, one skilled in the art will readily

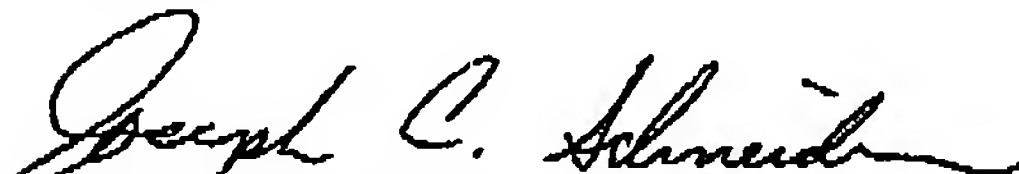
Matus et al.

S/N: 10/605,568

recognize that reference number 100 of the figures refers to the overall plasma cutter as a system, also commonly referred to as the plasma cutting system. One skilled in the art will readily recognize this because the DC power supply shown as reference number 102 cannot be located inside of the plasma torch handle because of its size and weight. Accordingly, since 100 refers to the overall plasma cutting system, the control 108 and the pilot circuit 104 are merely shown as a part of the overall plasma cutter system and not incorporated into the plasma torch handle. In fact, a plasma torch handle is not even shown in Figs. 1 or 2. The torch would connect to A and E of the figures.

6. Additionally, the '869 patent merely discloses a starting circuit, it does not disclose or suggest a circuit or control that is capable of controlling the plasma cutter during the plasma cutting process, and cannot cause a change in operation of the plasma cutting power source.

7. That the statements made herein are of my own knowledge and are true and made on information and belief that are believed to be true. I acknowledge that any willful false statements and the like made herein are punishable by fine or imprisonment, or both, and may jeopardize the validity of the application or any patent issuing thereon.


Joseph C. Schneider

Date: 6-23-05